Mational Republican

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From the reports furnished us for to-day the indications are that the weather will be threatening, with light snow or rain, a slight rise in temperature and falling barometer, probably followed during the evening by clearing weather. TUESDAY:::::::::::::::DECEMBER 12, 1876

RIFLE CLUB LAW AND ORDER

The kind of law and order that would reign in South Carolina if Wade Hampton was Governor is amply illustrated by the accounts of the lynching of a dozen negroes at Lowndesville a few days since without any show of trial. Such barbarities only go to show that the reign of the rifle club element is now supreme, and that it is a "reign of terror." They exceed in horror the Turkish atrocities in Bulgaria by the difference between our civilization and that of the Bashi Bazouks. If the butcheries of the latter in Bulgaria warranted the interference of all the Great Powers of Europe, how much the more would the same Powers be justified in entering a protest against the Government of the United States for allowing the continued massacre of its Christian citizens in the Southern States without interference for the arrest and punishment of the perpetrators? If General Wade Hampton possesses the influence he professes to be able to exercise over the rifle clubs of South Carolina, he and his associates can put a stop to these wholesale murders. That they do not do so, shows either that they do not possess the power they so confidently boast, or that the atrocities are committed with their connivance at least, if not by their direction. The lynching of these negroes without trial by a mob of whites shows the correctness of the President's judgment in refusing to withdraw the regular troops from that State. He justly observed that it was only the presence of the troops there which prevented a wholesale slaughter in Columbis. It is time that the people and Congress should look this matter of prevailing lawlessness at the South squarely in the face, and decide between a reign of terror there and "governments which are republican in form." If those States are now in the enjoyment of a republican form of government, it must be clear to the minds of all that they are only a form. The execution of law is a mere sham, a mockery. There is no pretense even, so far as we can learn, of the arrest and trial of white men for "breach of the peace" for murder, lynching, whipping, assault and battery, rape and assassination when these crimes are committed upon negroes and their families who refuse to vote the Democratic ticket. The rifle clubs will not permit the arrest and trial of their members on such charges. Or, if they do, the whole club will attend the trial in a body, fully armed, and remain there as a standing menace to court and jury that the verdict must be one of acquittal or justification.

We beg to say to the Democratic party, stand the sponsor of such mockeries, although they may be committed in the names of "Liberty and Reform." We say still further to Southern Democrats that, in our opinion, they are now sowing the wind to an extent that will soon result in a large harvest of whirlwinds if the hand of the assassin is not speedily stayed in their midst. It is said that even a worm will at last turn upon its torturer. And it is beyond all reason to suppose that the imitative negro will not ere long, should these oppressions and crimes against them be continued, begin a course of retaliation upon the whites that is fearful to contem-

Since writing the foregoing a Charleston

telegram has been received which imputes the charge of conspiracy for retaliation to the victims of these lynchers. If this should prove true, and it needs confirmation, that fact only goes to show the correctness of our impressions that such action must in the very nature of the case result from the course which the rifle clubs have been pursuing for several years past under various names and disguises. It is the legitimate fruit of the Ku-Kluxing, the White Line and rifle club riding and whippings, the bull dozing and the shotgun policy of the whites. God grant that the latter may now open their eyes and etay their barbarous and murderous hands before it is too late! We, in common with all Christendom, shrink in horror from the contemplation of a war of races in this country. And all the more because there is not the slightest necessity or excuse in reason, right or justice for any such war. All the freedman asks is the free enjoyment of those rights and privileges of citizenship which are guaranteed to him by the Constitution. Can the Democracy of the South or North afford to deny him these in the name of reform and liberty Can it afford to hazard with him a war of races, which in the South would be tantamount to one of extermination, and sacrifice by the same act his labor, rather than deal justly by him? The plain question to which the Democratic party must soon give a categorical answer to the people of the country is, whether it will or will not scrupulously recognize and obey in letter and spirit the thirteenth, fourteenth and fifteenth amendments to the Constitution of the United States? Promises, made in resolutions only to be broken in practice, will no longer avail. Hereafter, actions must speak. The people will hold the leaders to a rigid accountability. If an affirmative answer is intended, it must be shown by a cessation of lynchings, bulldozings and assassinations, and the accordance to the negroes of their legal and constitutional rights and privileges. Intimidations, threats and menaces for political effect must also cease. The alternative, we cannot and will not now attempt to depict. We prefer to leave this to the fervid imagination of the reader.

There are some interesting reminiscence suggested by the present position of politicians and journalists as compared with the sentiments the same persons have uttered during the history of the last thirty or forty years. Take the campaign of 1844 as an illustration, and compare the positions of certain journalists then with those which the same men occupy now. In New York Charles A. Dana was one of the vigorously savage writers on the New York Tribune, which paper was then a Clay-Whig protectionist advocate, with Mr. Greeley at its head. There was nothing Democratic which was not too foul for the youthful stomach of Mr. Dana to relish. He was an ardent disciple of the liberal views and principles of Fourier, and denounced the Democracy of that day as full of all the foul rottenness of political corruption. There were then charges of fraud in the Plaquemine district of Louisisns by which Mr. Clay was chested out of the vote of that State, and no pen was of a new centennial and forgetting party, rising far above party passions and party strife, hall him, in the language of the poet

more bitter in charging and proving the

fraud upon the Democratic party than

Dana's. He would have given anything

ers of the Tribune unearthed a lot of Mr.

Wood's commercial transactions in which

it was alleged that he had swindled his

capitalist partner named Arvine or Mar-

vine out of many thousands of dollars by

having duplicate sets of invoices made of

the ventures purchased, one of which was

to settle with the seller by, and another at

higher valuation to settle with the capi-

talist partner by. Mr. Wood writhed and

wriggled under these exposures like a

skinned and salted eel upon a hot grid-

iron, and, we believe, finally adjusted a

suit which his partner brought against

him for fraud, by pleading the statute of lim-

itation in full settlement, as his friend Til-

den did on his Pottier Company's furniture

claim. Just now Mr. Dans, the very same

Dana, is cheek by jowl with this same Fernando Wood in sustaining the Demo-

cratic frauds in Louisiana, the bull-dozing

of the South, and in abusing the President

and the Republican party, in order to place

that sometime old rotten and corrupt Dem-

ocratic party, with Tilden at its head, in

control of the Government. Who has

changed, Dana or Wood? Which of them

presents the most consistent record? When

such men as these conspire and take the lead

io an effort to impeach the President of the

United States, with a record like General

Grant's, should they not be looked upon

with suspicion? Just now these fellows

In 1844 the New York Express, edited

by James and Erastus Brooks, was a Clay-

Whig-American journal. The late James

Brooks was the chief editor and Erastus

was the Washington editor. The columns

of the paper teemed with anti-Catholic

articles of the bitterest kind. The record

of the members of the Empire club of that

day, presided over by the notorious Captain

Isaiah Rynders, and composed chiefly of

State's prison birds, blacklegs, pocketbook-

droppers and thieves, was printed in the

Express also, and Rynders and his gang

went down to the old office, No. 112

Broadway, one day in an omnibus, to bull-

doze "Jim" Brooks, or "Booby" Brooks,

as he was then called, into taking this

record back. Rynders stalked proudly in

at the head of his bullies, and approaching

the railing which separated the desk-room

from the outer office, he accosted a pale

gentleman who sat writing at a desk front-

ing the entrance with: "I wish to see

Editor Brooks." "I am Mr. Brooks,"

replied the pale writer. "Well, I am Cap-

tain Isaiah Rynders, by God ! and we've

come down here, me and the boys, to

make you take back that d-d lie in your

Mr. Brooks raised his right hand from

the desk and, behold, in it was a cocked

pistol instead of a pen, and looking the re-

doubtable captain sharply in the eye and

covering him with the pistol he said,

'Come one step nearer to me and you are

"a dead captain." Rynders quailed, though

he was not deficient in personal courage,

and turning to his crowd said, "Boys, I

omnibus without another word to Brooks.

Democratic, he and his paper drifted over

into the Democratic ranks, and the same

Brooks and the identical Rynders might

fender of the Louisiana frauds, when, in

1844, it could scarcely find language ade-

quate to the expression of its wrathful

hatred and disgust for the perpetrators of

the Plaquemine iniquity. It is now the

advocate of Tilden, and was the panderer

to the faith of the New York foreign ele-

ment in order to secure its support for Til-

den in the late election. In 1844 it was

the most vehement of American tournals

in its denunciation of all people of foreign

birth of the Romish faith. We have seen

that the Democratic party is the same in

all these respects as it was thirty-two years

ago. It follows, then, that the Express and

Erastus Brooks have become the eaters of

their earlier words, and have joined the

ranks of their old enemies. If they were

Such, in brief, is the character for con-

sistency of some of the present leaders of

the Democratic party, who are denouncing

the patriot President in the most infamous

terms and demanding his impeachment by

the Confederate House. Are they fit men,

aided and abetted by the ex-rebels of their

party, to accuse and prosecute Gen. Grant

for high crimes and misdemeanors? Are

they of the character to command the con-

fidence of the country? If they think that

the people will take the accusations of

such changeful demagogues and slanderers

in preference to the brilliant military and

civil record of the President as evidence

of his fidelity to public trusts, they had

better proceed with their attempts at im-

peaching him. But we warn them now

that in such an effort they will find them-

selves in the end "hoist by their own

IN THE struggle over the MacDougall Mis-

sissippi resolution in the House yesterday a spirit of radical and rotten partisanshi; was

exhibited on the part of the Democracy such

as would have disgraced the council halls of

Pandemonium in the meridian of its deviltry.

Mr. Wood opposed the resolution on the

ground that in making up the committee

tion it might leave the House without a quo-

rum. The next minute he inconsistently

voted for resolutions which required larger

committees to perform the duties involved.

Every Democrat, as far as we could discern, from Mississippi, voted against the resolution. These very men have been conspicuous in cry-

measures are proposed by which the country is to know whether they have been blessed

with an honest count or not they object. A

is in their eyes of no account, and for this

reason they slaughtered the MacDougall reso-

JUSTICE W. W. UPTON, of the Supreme

Court of Oregon, says the action of Governor

Grover is illegal. This must be unpleasant

for Mr. Grover. It is certainly very unfortu-nate for Ethebold Allen Crouin. The former

has already been burnt in effigy by the indig-

nant people of Oregon. The latter has al-ready started for Washington as a self-con-

stituted committee of one, deputized by him-

self to make a President of the United States.

He comes! Ethebold Allen Cronin comes in all his electoral franchise majesty, bearing

Tilden's triumphant vote, and Justice Upton,

nor the Supreme Court of Oregon, nor the

pronunciamentos of an indignant people, nor time nor space shall stay his onward flight.

necessary to carry out the spirit of the resolu-

petard."

right then they must be wrong now.

on we are in the wrong place.'

paper this morning."

are "as thick as thieves."

in reason, then, for an honest and true Crenin, heir of all the ages, Gnawing the foremost file of the Returning Board, clothed with power to purge the returns from the dis-THE SPERCH of Senator Edmunds yester-day, from which we present copious extracts this morning, was one of the most powerful and incisive, as well as able, constitutional argraceful frauds invented by and per-petrated under the direction (as alleged) of the late Senator John Sidell. has changed, the Democratic party guments ever delivered in the Senate. Of the or Mr. Dana? Years after the Tribune practicability of the proposition of Senator was full of denunciations of Hon. Fer-Edmunds, however, to amend the Constitunando Wood, who aspired to the then tion and obtain the decision of the Supreme honorable and lucrative position of mayor Court before the fourth of March, there is much difference of opinion. This is a fast age, but we have doubts about its being proof New York. Under the inspiration of Dana, who, even then, was deeply imbued with the curiosity of Paul Pry, the reportressive enough for the performance of this

> A MEMORIAL of the ladies and citizens of the District has been prepared and signed by most of the District officials and the officers of the charitable and reformatory institutions, for presentation to Congress, asking the passage of House bill No. 3765, making appropriations in aid of the purchase of the land and buildings for a reform school for girls. This is a project of pressing importance at this time, and we hope will receive due attention at once. It is an appeal in behalf of suffering humanity that cannot be properly rejected.

THE Democratic members of the Naval Committee of the House of Representatives claim to absorb all the virtue and honesty of the Capitol. Judging from the airs some of these men give themselves, an uninitiated person would never imagine that one of thes ellows is a characteriess debauchee, and that another was the inmate of a common fall not very long ago for swindling a too confiding client. We are pursuing some inquiries relative to the antecedents of the others, and when the proper time arrives it is our purpose to let them hear from us in a manner that they will not readily forget.

THE Democrats are strenuously opposed to investigating the hell-born frauds of Mississippi. They voted down Mr. MacDougall's res olution yesterday, the aim of which was to ascertain the true condition of affairs in that State. They dare not have the curtain raised on the vile schemes and plans of the White-Liners as executed in that Commonwealth Mr. Lamar voted against the resolution. That gentleman's seat in the Senate is already in much danger, owing to the frauds now exposed in the State. He is frightened at the prospect of further and more important devel-

JUST as the mourning nation turns sorrow fully away from the graves of the poor unfortunates who were sacrificed in the flames o the play house, it is confronted by the scenes of horror and sadness which transpired on the crests of the ocean wave. Over one hundred harbors during the terrific gale on Saturday, and possibly a hundred more have gone down in mid ocean. An unexpected stroke and two hundred more are dead.

WHEN John Morrissey declared "all bets eff" and proceeded to gather into the gam-bler's granery his stake-holder's per centum of over \$30,000, it settled beyond all cavil the fact that when he passes over for inspection before the celestial Returning Board he will be summarily counted out.

Now that the election contest is over and Hayes is undoubtedly elected we don't mind acknowledging that the story about Tilden's counseling Abraham Lincoln to prosecute the war to its bitter end is wholly unfounded in fact and maticious in conception.

POLITICAL.

Oregon furnishes the Crownin' absurdity. Is it not time to proclamate about something, Mr. Hewitt?

Sorry, Uncle Sammy; but the people will have their own way. It is a mistake to suppose the will of a man with shot-gun is the will of the people. General Joe Johnston is the latest applicant or the removal of his political disabilities General comment after reading the Democratic ewspaper of the period—It is so easy to talk.

Speaker of the House—Samuel J. | Tilden. A few years later when Mr. James Brooks Samuel J. Tilleen.
One paper objects to Grant's rhstoric. It will be remembered that the late Robert Lee was likewise pained by it.
Governor Grover, of Oregon, wants much space in telling why he did it. It might be told in three words—to elect Tilden.

The llon and the lamb lying down together: Abram and Ulysses had a talk.—Dem. Ex. Hewitt is put first because he does the lyin', and Grant used to perform the "lambing," you know.

United States marines were put around a Boston court-house once for the purpore of enforcing the fugitive slave law. There was not a Democratic Zachsarie in the whole country who then offered to file a protest against the use of troops.

Governor Bedle, of New Jersey, believes that neither of the Presidential candidates would take the office unless believing himself elected. In all the dime novels he has written Governor Bedfe has never inculcated a more beautiful lessen the search of the Presidential candidates would take the office unless believing himself elected. In all the dime novels he has written Governor Bedfe has never inculcated a more beautiful lessen. desired to enter political official life, and found that his district was hopelessly have been seen nightly at Democratic primaries and conventions as co-workers. The Democratic party has not changed. It is the same panderer to Catholicism for the purpose of securing the Roman Catholic vote now that it was in 1844. As the Democratic party did not change, and the Express is one of its staunchest advocates and supporters, it follows that the Express has changed. It is now the de-

all the dime novels he has written Governor Bedfe has never inculcated a more beautiful les-son of truth than this.

The boom of the first cannon fired by a South Carolinian in 1861 woke the thunders of the Union. The crack of the first rife fired by Wade Hamp-ton's legions in South Carolina will bring a swifter and sharper response. Wee to South Carolina if a second rebellion begins within her borders!

friends.

A Delaware Democratic organ describes how "the practorian guards assembled at Rome by "liberius and turned their bayonets against his palase." That editor evidently labors under the impression that the Romans used bayonets eighteen hundred years ago, when any school-boy could tell him that they did all their fighting.

PERSONAL.

Hon. Wm. M, Evarts has parlors at Wormley's

M. Gracin, Minister from the Argentine Republic, is at the Riggs house.

Hon. E. Saulsbury, of Dover, arrived at Willard's hotel yesterday evening. quartered at the National hotel.

Hon. Henry S. Walker, Kanawha, W. Va., is solourning at the National hotel.

V. Jarkon, Minister from Guatemala, and lady, have parlors at the Riggs house.

Alph Mullender, Verviers, Belgium, is among the arrivals at the National hotel. Hon. John M. Bright, Fayettesville, Tenn., arrived at the National hotel yesterday. Gov. William Gilpin and wife, Denver, Col.,

Sydney Dillon, esq., New York, president of the Union Pacific railroad, is registered at the Arlington.
Judge P. Ord. Cal.: Dr. R. Lamar, N. Y.: Jas.
Thompson, R. W. Russell and J. Van De Reed,
N. Y., and D. B. Henderson, Dubuque, are stopping at Wormley's hotel.
Theodore M. Davis, a prominent member of the
New York bar, is at the Arlington; also, C. W.
Bangs, New York; E. D. Trowbright and wife
and Theodore Kitchen, Philadelphia.

Elsewhere. Hail Columbia! Tupper is in Toronto, safe and sound.
Viscount Grimston, of England, is at the Hotel
Brunswick, New York.
The Hon. Abram Hewitt does not visit the
White House so often as he did.
It is said that the Prince of Wales has proffered
his services for active duty in case of war. his services for active duty in case of war.

Mr. Tweed is positively said to have only \$1,000,000 left. The way of the transgressor costs money.

David Dudley Field would like to go to Congress; which indicates that Tweed's money is all gone.

built-doze him.

John Kelly thought he had money enough to live without office; but he is married new, and is again an office-holder.

Senator Edmunds is called the great objector, and his word is more powerful than that of any other man in the Senate.

A new Lord Lieutenant is always received, on arrival in Dublin, in state, but the outgoing one generally retires into private life quietly.

Mr. R. J. Cartwright, Finance Minister of Canada, arrived from England in the steamship Algeria, and is at the Fifth avenue hotel.

Lieut, Col. Nelson, of the United States army. Lieut. Col. Nelson, of the United States army, was recently married in New York to Miss San-ford, daughter of Wm. E. Sanford, of that city. Charles Fenno Hoffman was once a popular poet in this country, but for twenty-six years has been confined in the insane asylum at Harris A London correspondent says that Mr. Glad stone wrote his last pamphlet in three days, and that his share of the profits was £10,000; also, that that the proprietors of the Contemporary Review paid him \$50 guineas for his review of Schuyler's book on Turkestan.

NATIONAL LEGISLATURE. SI COND SESSIO 7. The Senate was called to order by PRESI-DENT protempore FERRY at 12 o'clock m. and prayer was offered by the chaplain. Mr. HAMLIN said he was absent on Friday on account of illness. If he had been present he should have voted to sustain the ruling of the Chair.

Chair.

DENOCRATIC EXPORT ON LOUISIANA.

Mr. BUGY presented a report of the five Democrats who went to Louisiana to witness the count of the returning board. He said it was very atic, and as the understanding when the Sher-man report was presented was that this should be printed as well as that report, he would ask if it was proper that it now be printed. Mr. INGALLS moved its reference to the Com-mittee or Printing.

MY.INGALLS moved its reference to the Committee on Printing.
Ar. HAMLIN. Who is it addressed to?
MY. EOGY. To MY. HEWITT.
MY. HAMLIN. Is it addressed to the Senate?
MY. HAMLIN. Is it addressed to the Senate?
MY. HAMLIN. Then it has no business here.
MY. EDMUNDS. There is a rule of the Senate which prevents the reception of communications to private persons, and it will be necessary to amend this before we can receive it. I will be glad to have it before us.
MY. BUGY offered to read it as a part of his remarks. Marks.
At the suggestion of Senators it was decided to put it in the form of a memorial to the Senate, and Mears. Syrvemson and McDonald agreed to join Mr. Boov in signing it as a memorial. All the Senates agreed that it ought to come before the Senate and be printed. It was then referred to the Committee on Printing.

A COLOBADO PETITION. Mr. CHAFFEE presented a petition of certain citizens asking for a new land district in tha State.

THE COST OF THE INVESTIGATION. Mr. WINDOM, from the Committee on Appropriations, reported back House bill providing for \$21,000 for expenses of Southern investigating committees, with the amendment that the words "for committees of the House" be added, also "that the sum of \$50,000 be appropriated for the Senate Committee on Privilegus and Elections."

Mr. OCOKERILL Twenty-one thousand dollars for three committee of the House and \$50,000 for one committee of the House and \$50,000 for one committee of the Senate.

Mr. WINDOM and Mr. MORTON explained that it was thought that the Senate committee would require that amount, as the committee was divided into several sub-committees. They would use, however, only what might be necessary. The amendments were adopted and the bill passed.

Mr. DAVIS said the House might probably

bill passed.

Mr. DAVIS said the House might probably ask for an additional sum, and he alluded to it so that the Senate need not be surprised when the THE OREGON ELECTION

Mr. MITCHELL, from Committee on Privi-leges and Elections, reported the resolution in relation to Oregon electors, and asked that the preamble be amended in its recital. RESOLUTIONS AND PETITIONS.

Mr. SHERMAN offered a resolution for printing an additional number of the President's letter on Louisiana affairs. Referred to the Committee on Printing.

He also presented a petition from Gen. Joseph E. Johnston, asking for the remeval of his political disabilities. Referred to the Committee on Judiciary. Tudiciary.

Mr. MITCHELL: Bill for further improvement of Colombia river. Referred to the Committee on Transportation.

By Mr. BAYARD: A resolution calling upon the President for the number of deputy marshall employed during the late election. Ordered writted

Mr. EDMUNDS said he would offer an amend Mr. EDMUNDS said he would offer an amendment to it to-morrow.

By Mr. MORTON: A resolution making the several sub-committees of the Committee on Privileges and Elections the same as committees of the Senate, to entitle them to administer oaths, &o. Adopted.

By Mr. HOWE: A bill for the relief of L. H. & B. O. Schneider and W. G. Duvall. Referred to the Committee on Claims.

Mr. BOUTWELL said when additions were made to the Committee on Privileges and Elections it was thought the work would be done in Washington, but now it was decided necessary that they go South. As he had recently been on that they go South. As he had recently committees of that nature, he asked to cused from serving on this. Granted.

COUNTING OF ELECTORAL VOTES. COUNTING OF ELECTORAL YOTES.

The PRESIDENT pro tem. If there be no further morning business the Chair will call up the unfinished business of Friday's session, which is the joint resolution (S. R. No. 10) proposing an amendment to the Constitution of the United States. The joint resolution is before the Senate as in Committee of the Whole.

The joint resolution introduced by Mr. Enury on the 22d of March last, is as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, two thirds of seas House concurring therein.) That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when rathfold by three fourths of said Logislatures, shall be valid as a part of the Constitution, namely:

ARTICLE XII. That the twelfth article of the amendments of the Constitution be, and the same is hereby, abrogated, and in the place thereof the following be, and the same is becely, ordained and established, namely: and the constitution of the same state with the manufacture. The constitution of the same State with themselves; they shall and of the same State with themselves; they shall and of the same State with themselves; they shall same state with the same state for an President same state with the same state for an President same state with the same state. senied to the seat of Government of the United States, directed to the presiding justice of the Supreme Court of the United States. And the Supreme Court, at a time and piace fixed by law, shall publicly open all the certificates and count the votes, and the person having the greatest number of votes for Freedent, considered by the court to have been lawfully given and certified, shall be President, if such number be a majority of the whole number of electors lawfully appointed; and whole number of electors lawfully appointed; and votes shall be immediately certified to the House of Representatives, and then, from the persons having the highest number not exceeding three on the list of those voted for as Fresident, the House of Representatives shall behoose immediately, by a wire cocc vote, the Fresident; but the vote shall be taken by states, the representation from each State having one vote; and if the votes of any State shall not show a majority for any one candidate, the vote of such State shall not be reckoned. A quorum of the House of Representatives for the purpose of such electionshall consist of a member or members from two thirds of the States, and a majority from all the States shall be necessary to a cholect and if, on electionshall consist of a member or members from two thirds of the States, and a majority from all the States shall be necessary to a choice; and if, on the first vote, there shall be a failure to elect, further votes shall be necessary to a choice; and if, on the first vote, there shall be necessary to a choice and the shall member of the shall be chosen as the shall not choose a fresident, when the right of choice shall not choose a fresident, when the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice, Fresident shall act as President, as in the case of death or other constitutional disability of the Fresident. The person having the greatest number of votes for Vice President, to be counted and determined as in case of Fresident, as before provided, shall be Vice President, is such number of a majority or the whole number of electors appointed. And, if no person have a majority, then from the vote highest numbers on the square from the vote highest numbers of the country of the whole number of the species of the whole number of senators. list the Senate shall choose a Vice Prosident, A quorum for the purpose shall consist of two thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

Sec. 2. No person holding the office of a justice of the Supreme Court of the United States shall be be eligible to be elected as President or Vice President of the United States shall be be eligible to be elected as President or Vice President until the expiration of two years next after he shall have ceased to be such justice.

The joint resolution was reported by the Committee on the Judiciary, on the 12th of May last, with amendments; which were agreed to.

The next amendment offered was as follows:

The next amendment offered was as follows: But the court shall, in the discharge of the dut'es herein provided, disregard errors of form and be governed by the substantial right of the matter. governed by the substantial right of the matter.

Mr. MORTON, Mr. President, I think such an amendment as that ought not to be adopted without some consideration. This amendment will give to the Supreme Court a boundless jurisdiction. There is no limit to it.

will give to the Supreme Court a boundless jurisdiction. There is no limit to it.

But the court shall, in the discharge of the duties herein provided, disregard errors of form, and be governed by the substantial right of the matter.

I think that would authorize the court to do almost anything, perhaps to go and count the votes in the State of Vermont. It is such a jurisdiction as ought not to be conferred upon any tribunal without very grave consideration. This makes the Supreme Court a returning board authorised to do the very right in the matter, to disregard all matters of form, to go behind every kind of document and do what they think is right. I certainly think that is a very dangerous power to confer on any tribunal.

Mr. EDMUNDS. Mr. President, if the Senator from Indiana is right in his suggestion as to the scope of this amendment, I should agree with him entirely; but the object of the committee was—and if we have not attained that we certainly desire to attain it—to authorize the court not to exercise a boundless discretion, or to go forward to count the votes of citisens, or to re-try any question that the State authorities had, according to their laws under the constitution, tried and determined, but to do exactly what the Supreme Court of the United States and the District Courts of the United States and the courts are called upon to try, and that is to disregard defects of form and decide according to the matter of right in the cause as it shall appear. The language is almost literally that in the act of Congress of the 24th of September, 1789, establishing the judicial courts of the United States, which says that in all matters coming before them—

them—
"the said courts respectively shall proceed and give judgment according as the right of the cause and matter in law shall appear unto them, without regarding any imperfectious, defects, or want of form, &c. form, " &c. And they may amend all such defects. The language that we used we supposed imported simply the authority in the Supreme Court in performing this duty, to disregard such a technical effect. MR. EDMUNDS IS ASKED TO SPRAK.

Mr. MORTON. I will say to the Senator that before the Senate is called upon to vote on this important amendment. I think we ought to hear the Senator on the general merits of the proposi-tion. I have no doubt he is prepared to speak, and I should like to hear him on the general proposition before we are called upon to pass on this particular amendment. AND REPLIES. Mr. EDMUNDS. Well, sir, I am perfectly willing to state now the litt e i have to say.

The substantial point, Mr. President, in this proposed amendment to the Constitution, is to change what is said, and what has been said on all sides of proper to the constitution of the United States on this most interesting topic into a certainty as far as constitutional provision can produce certainty about anything. I wish to say, also, that

as some of the newspapers have intimated, and as has been suggested in some letters that I myself have received, to use the v-raccular, 'to swap horses in crossing a sircam,' but it is an amendment to the Constitution of the United States that was introduced into the Nenate on the 23th of March, about a year sgo, and was reported favorably by the then Committee on the Judiciary on the 12th of May, with the changes of phraseology that will be found in the print.

Now, of course, the first ground on which we should enter in considering this question is, what is the present state of the constitutional law may upon the subject, and having ascertained that, if we can, or having ascertained that, if we can, or having ascertained that there is no unanity of opinion as to what the present state of the constitutional law in the interpretation of which sid stateomen and legislators and judge can agree, as far as such a thigh method of certainty that the committee propose is the best one state.

'IT IS A SINGULAR CIRCUMSTANCE,

It is a singular circumstance,

Mr. President, that the language of the existing
constitution should have passed exactly where it

off. The Constitution of 1789, article 2, taking up
the question just where this proposed amendment
core, after the State has appointed its electors,
just as now, "in such a manner as the legislature
shall direct," proceeds to say that the electors
"Singli make a list of all the persons world for and
of Wienumber of votes for each, which list they
shall size and certify and transmit scales the
first and the state of the Unit. The President of the Unit.

The President is the presence of the Sonsite and House of Representatives, open all the
certificates, and the votes shall is the president of the
Constitution of IFM, of the Government which
went into force on me eith of March, Irss, and not
the provision now in force, which I shall come to
presently.

The first thing that took place, of course, in represently thing that took place, of course, in re-presently thing that took place, of course, in re-spective provision, was its being proposed and considered in the Federal convention. I have a arched through the debates and the course of that convention to Bind some light, he were faint, that would enable me to perceive processely what the makers of the Constitution intended in respect of the powers of any body

VHEN THE CERTIFICATES SHOULD HAVE OPENED

when the centrificates should have corescing of the Federal convention anything that throws light upon it. That language, so far as I have been able to discover, was not made the subject of criticism or comment or debate. It may be that it was: but I have not been able to find it.

Immediately after this, and during the first term of President Washington. Congress was called upon to pass a law to put this provision of the Constitution into more perfect effect in respect of the time when the electors should give their votes, and so on. So the set of 1752 was passed to carry out these provisions of the Constitution relating to the election of President and Vice President of the United States. And again it is a singular circumstance, although there is a considerable body of debate upon the passage of that law, that this particular polar of where the power resided, if there was any power at all, to count these votes, the extent of that power, by whom to be exercised, under what methods, was left entirely without a single word occument or criticism or debate. There was not always to the proper time to fix of distance between the votes of the proper time to fix of distance between the votes of the proper time to fix of distance to the content the votes of the proper time to fix of distance to the next day almost, if it were possible, to guard against their being influence by mishinating and cahals and all that sort of thing. But were you come to the passage of this first all the properties and cheston and resident and deep resident into effect, and provided for by a ordinance of the Convention that has been already referred to, and which contains a very strong implication apparently in the direction of the power, whatever it may be, residing in neither House of Congress, but

RESIDING IN THE PRESIDENT OF THE SENATE, this question was unfouched. I do not mean to say that this ordinance of the conv. Inton defined the extenio or the limit of the power of the presiding officer of the benate, but it seems to the presiding officer of the benate, but it seems to the presiding officer of the Benate, and on that occasions of the converted the presiding officer of the Benate, and on that occasions of the stream of the senate, and on that occasions of the stream of the senate, and on that occasions of the stream of the senate of the Benate of Representatives in the Chamber proceeded apparently, evidently upon that theory. The presiding officer of the Benate did everything. Since that time, as we know, that method has not always, perhaps not generally, been pursued, and in what I say now I do not intend to express any opinion as to the trus construction of the Constitution I what to do the for myself, after further reflection and deliberation, and after I shall have heard the subject more fully discussed. The principle upon which the committee proceeded in respect to this proposed amendment to the Constitution is not based, if I correctly understand the views of the committee, upon any determination that we have made as to precisely what is the true construction, but rather upon the well-known fact that for many years, at least, there has been among gentlemen of all parties RESIDING IN THE PRESIDENT OF THE SENATE.

A CONSIDERABLE DIFFERENCE OF OPINION

A CONSIDERABLE DIFFERENCE OF OPINION as to the true interpretation of the Constitution; and, in order to escape from that difficulty and to solve that doubt, not by interpretation, but by a fresh act of three fourths of the States of the American people, we thought it was desirable to do it in this way, and for other reasons that I shall come to by and by.

Mr. President, under this provision of the Constitution of 1757 the act of 1752, as I have said, was passed which throws no dight at all upon the constitution of 1757 the act of 1752, as I have said, was passed which throws no dight at all upon the constitution of the Constitution of the Constitution. The goes directly back to that; and all say it went back without any comment at all that I can find upon what sort of power resided anywhere on such an eccasion.

THE NEXT TIME AND FLACE THAT ONE MIGHT

THE NEXT TIME AND PLACE THAT ONE MIGHT PAIRLY LOOK FOR LIGHT upon the subject was in the year 1806 and in Congress when there was introduced into the Scuate, and passed, a bill providing for disputed Presidential elections. You will observe that that was under the first provision of the Constitution, but after considerable discussion each House addicate to tits respective opinions and the bill feil as a matter of course. That ended the attempt of 1809.

Mr. BAYARD, Wi'l the Senstor be kind enough to indicate the volume in which the record of those proceedings to which he has referred exist, and the pages at which they will be found?

Mr. EDMUNDS. All this will be found about the bill that I am now speaking of, the bill of 1800, in the proceedings of the Sixth Congress, Annais of Congress, 1799 to 1801. It runs through a large number of pages.

Which volume of the Annale?

Mr. EDMUNDS. They are not numbered by volumes, but by Congresses, the Sixth Congress, 1799 to 1801. After that came

THE ELECTION OF MR. JEFFERSON as President of the United States, and that celebrated the of the vote between himself and Mr. Burr, which was made manifest on the second Wednesday of February, 1801 gand with that, of course, everybody is familiar. The Constitution as it then stood, as the thair and Senators are perfectly well aware, provided for a particular method, where there were votes for several persons, of picking on the particular person who was to be President, inasmuch as the electors were not authorized to distinguish who FOUR ELECTIONS OF PRESIDENT OF THE UNITE STATES UNDER THE OLD ARTICLE,

STATES UNDER THE OLD ARTICLE, although there had been in the debate three year before, in the preceding Congress, a great difference of opinion as to what the language meant, where was the limit of constitutional power in Congress, if any existed at all and what was it nature; yet, when the two Houses of Congress proposed to the States this fresh amendment to cure the difficulties that had arisen in 1850, they took exactly the same language that the convention had taken before in respect of the disposition of the votes after the electors and given them, and provided that the lists should be signed and certified and transmitted, sealed, "to the seas of the Government of the United States, directed to the President of the Senate." The President of the Senate shall, in the presence of the Senate and House of Representatives, open alt the certificates, and the votes shall then be counted." Making no provision for what had already be

words declaring that the certificates shall be opened "and the votes shall then be counted."

It is entirely dark,
so far as I can discover, though it is possible something may yet be found. We can draw no light from the discussion on this new amondment in respect of the true import of those words.

From that time to this, as everybody knows, what he been done has been done somewhat warbands the seed of the state of 172, which does not touch at all the subject that we are now speaking of, because it merely says the thing shall be done necording the Constitution, whatever that means; there was no provision of law at all, and there was no provision in any joint rule or other proceeding of the two Houses that I know of, which undertook, either expressly or by implication, to carry out that provision of the Constitution except by the mere mechanical presence of the two bodies, with tellers to at at the tables to do the elecical work. The first instance that I know of when any question was made was in 185, when the electors of Wisconsin failed to meat on the day that the set of 172 required they should; so that all that the set of 172 required they should; so that all that the set of 172 required they should; so that all that requirement was the certificate was received by the President of the Senate.

MR, NASON, OF VIRGINIA.

received by the President of the Senate,

MR. MASON, OF VIRGINIA,

and was opened and reported by the fellers in the
regular way with allothers. On the President announcing that vote somebody rose and questioned
the right of the Presiding Officer to determine
whether that was the constitutional vote of the
State of Wisconsin or not, and the Presiding Officer,
it is stated, declined to entertain the question of
order or to submit it to the bodies for people whatever they night be called, who were before him,
and retired from the Chair, and with the Senate
came basik to the Senate Chamber.

the particular condition of the country at that tin seemed to require that some measure should be re-sorted to, if stready under the Constitution the la

se, and not the law, must take whatever fate the constitution gave them, without any interference on the fact of the President. Mr. COCKRELLs. What was the date of that Mr. EDMUNDS. February, 1965. I do not remember the exact date.

Mr. CONKLING. February 87
Mr. EDMUNIS. February 8, 1 think. Just as
the joint resolution was thus on the verge, when it
was not known whether Mr. Lincoln would finally
yeto it or sign it.

was not known whether Mr. Lincoin would maily vetol to rigin it.

THIS TWENTY-SECOND MULE,
now, happily, as everybo'ry has said before this session of Congress, among the things of the past, sprang into existence one morning in the Senator here. Nobody knew exactly who the father of it was. I think I have seen it stated that the Senator who conceived it a few years afterwards expressed his great astomshment that any such thing should ever have been presented and adopted. A very distinguished Senator, once the clairman of the Committee on the Judiciary of this body-indeed, for a very lone time—and still a prominent statesman in the central part of the continent, expressed his infinite surprise lists such a thing as that should be in existence; and yet, on looking it up, it turned out that he was the identical nerson who wrote it and put it through. Under the twenty-second joint rule everybody knows what we have lone.

Mr. EDMUNDS then proceeded to argue at great length why the Supreme Court was the best tribunal in which to vest the power of counting the electoral vote and dedicing Presidential contests!

Mr. MORTON opposed the amendment, and

best tribunal in which to vest the power of counting the electoral vote and deciding Presidential contests:

Mr. MORTON opposed the amendment, and said it would make the Supreme Court a political body. It would make the Supreme Court a political body. It would make the say the foundation for a future candidacy for Presidential honors. This amendment was but a re-enaction of one of the articles of the twelfth amendment of the Constitution, with these changes, viz. first, it changes the vote of electors from ballot to vice voce; second, it transfers the count to the Supreme Court; third, it makes judges ineligible as candidates for the Presidency until two years after. He would oppose anything like the Electoral College, It was unrepublican and prevented men from voting as they wish.

We came near making a shipwreek of the Government as early as 1801 by this Electoral College, and the methods used to elect Jefferson at that time would damn any man who would resort to it at the present day.

The system was opon to the greatest corruption. The election might turn upon a single vote, as at then present time, and there would be a great temptation to offer bribes. We have escaped disaster so far because each electors habeen supposed to be pledged to vote for a certain man beiorehand. But suppose it is not always so, and some elector chooses to disregard his pledge and vote for a different person, in what manner can we hold that man to the performance of his pledge?

We are now called upon to pass upon this question of the Electoral College again. After one hundred years of national existence we are called upon to readopt the Electoral College to which he was totally opposed, and he read a table showing that in past elections the popular will had been defeated by the machinery of the Electoral College, he had proposed an amendment to the Constitution, which was introduced last week, to remedy the defects of the Electoral College, and at the same time protect the rights of the smaller States.

Mr. MERRIMON and Mr. FRELI

at the same time protect the rights of the same time States.

Mr. MERRIMON and Mr. FRELINGHUY-SEN briefly discussed some provisions of the amendment, and Mr. Merrimon offered an amendment to the second section, making it read as follows:

No person holding the office of a Justice of the Supreme Court of the United States shall be eligible to be elected as President or Vice President, "or appointed to any office in the United States Government," until after the expiration of two years next after he shall have ceased to be such Justice. The amendment was ordered printed.

printed.

The Chair appointed Mr. Oulssay to act in place of Mr. Bourwell, excused, on the Committee on Privileges and Elections.

At 3-40 p. m., on motion of Mr. EDMUNDS, the Senate went into executive session, and at 4 House of Representatives.

Under the usual Monday morning call the SPEAKER proceeded to call the States and Territories for bills and joint resolutions and resolutions of State Legislatures, for reference only. Under this call the following, among others, were troduced and referred By Mr. FRYE, of Me.: To provide judicial remedies for the overcharge of duties on tonnage

BILL TO REDUCE POSTAGE. postage on letters. [The bill proposes that after July 1, 1877, the postage on all letters except unce. It was referred to the Committee on Pos Offices and Post Roads.]
By Mr. DAVY, of N. Y.: To amend section 1015 of the Revised Statutes so as to permit commissioners of the Circuit Courts of the United States to take ball for the appearance of parties accused before them from time to time until the final disposition of the case.

By Mr. DARRALL, of La.: To apply the next proceeds of the sales of the public lands to the education of the people.

AUTHORITY TO PURCHASE SILVER BULLION. Offices and Post Roads.]

By Mr. DAVY, of N. Y.: To amend section

AUTHORITY TO PURCHASE SILVER BULLION.

By Mr. HUNTER, of Ind.: To authorize the Secretary of the Treasury to purchase silver bullion, and to authorize the same to be coined into silver dollars, each to be of the same value and fineness as the silver dollar authorized to be coined by the act of 1860, and the same to be a legal tender in the payment of all debts, public and private, and receivable for duties on imports. By Mr. GLOVER, of Mo.: For the protection of States against domestic violence.

By Mr. KASSON, of lowa: To establish a discriminating duty upon the products of sugar cane imported into the United States, being the growth and product of slave labor. [The bill imposes an additional duty of twenty-five per cent, on the product of slave labor over that

cent, on the product of slave labor over that which is produced by free labor.] Under this call a large number of bills of a private nature were introduced and referred. preamble and resolution reciting that the dent has sent to this House what purports it report of gontlemen sent to New Orleans ; ness the count of the Returning Board of State of Louisiana, in which report the me

State of Louisiana, in which report the members are referred to in compilmentary terms, and the following language is used with reference to J. Madison Wells, one of the members of said Returning Board, (here is quoted the language culogistic of Governer Wells;) therefore—
Resolved, That the President be, and he is hereby, requested to furnish to this House copies from the War Department of all reports, orders, correspondence and telegrams connected with the removal of said J. Madison Wells from the office of Governor of Louisians by Gen. Sheridan in 1867.

Mr. KASSON, of Iowa, I object.

Mr. BANNING then moved to suspend the rules and pass the resolution. Mr. BANNING then moved to suspend the rules and pass the resolution.

The House refused to suspend the rules and pass the resolution—yeas 141, nays 80—two thirds not voting in the affirmative.

woting in the affirmative.

MORE COMMITTEES TO INVESTIGATE.

Mr. MACDOUGALL, of N. Y., moved to suspend the rules and pass a resolution for the appointment of special committees to examine into frauds in registration and elections during the past summer, as follows: A committee of nine to examine as to New York, Brocklyn and Jersey City; a committee of five as to frauds and intimidation in the Second and Fourth districts of Virginia; a committee of inne as to Missispip; a committee of five as to frauds in registration in the city of Philadelphia, and a committee of three as to frauds in Alabams. committee of five as to frauds in registration in the city of Philadelphia, and a committee of three as to frauds in Alabama.

Mr. COX. of N. Y., asked if the resolution was divisible. He never heard frauds charged in Now York. (Laughter.)

Mr. WOOD, of N. Y., inquired if it was in order to appoint so many committees as to leave the

that question.

The yeas and nays were demanded and the resolution was rejected—yeas 124, nays s9—two thirds not voting in the affirmative.

The vote in detail was as follows: YEAS.



Hamiltonof N J., Piper,

COMMITTEE TO VISIT NEW YORK.

Mr. COX, of N. Y., then offered a resolution, which was agreed to, for the appointment of a committee of five members to proceed to the cities of New York, Philadelphia, Brooklyn and Jersey City, to examine into alleged frauds in the registration and voting for Presidential electors and Representatives in Congress in each of said cities at the late election.

On motion of Mr. GOODE, of Va., the Committee on the Judiciary was directed to inquire and report upon the legality of the circular letter issued by the Attorney General during the late Presidential campaign to the marshals of the United States in relation to their powers and duties in the election of President.

Mr. SPENCER, of La., moved to suspend the rules and pass a resolution directing the Committee on the Judiciary to investigate and report if any intimidation or coercion has been practiced upon the employes of the Federal Government in the last campaign to compel said employees to contribute to the election fund of any particular party, and, if so, report what legislation is necessary to protect the employees from this exaction.

The House refused to suspend the rules and pass the resolution by a vote of 13s years to 14 mays, two thirds not voting in the affirmative.

The House then, at 7.15 p. m., adjourned.

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Northwest cor. 11th st. and Fa. are, over store.

Mass. ave., near 14th st. 14 rooms, furnished.

Cor. 14th st. Mass. and Vt. avennes

110 10th st. northwest, furnished. 19 rooms.

110 10th st. northwest, furnished. 19 rooms.

110 10th st. northwest, furnished.

Qst., above 14th, furnished. st. m. 1, stable.

Qst., above 14th, furnished.

No. 186 15th st. w. 10 rooms, stable.

No. 196 19th st. n. w., 10 rooms, stable.

No. 206 18th st. n. w., 10 rooms, stable.

No. 201 18t st. n. e., 10 rooms, stable.

No. 202 18t st. n. e., 10 rooms, stable.

No. 202 18t st. n. e., 10 rooms, m. 1

110 B street, near 2d southeast, 12 rooms, m. 1

110 N street northwest, furnished.

No. 100 N st., cor. Eleventh, 12 rooms.

No. 100 N st., cor. Eleventh, 12 rooms.

Schatter to rothwest, over store.

1 street northwest, ver store.

1 street northwest, over store.

1 street northwest, over store.

No. 100 Street, 9 rooms, m. 1

No. 718 11th st. m. w., 10 rooms.

No. 100 Street, 9 rooms, m. 1

No. 120 Street northwest, 1 rooms, m. 1

No. 120 Street sorthwest, 9 rooms, m. 1

No. 120 Street, 9 rooms, m. 1

No. 120 Street No. 1806 G st. n. w. farnished, 6 rooms.

No. 60 Sevesth st. s. w. 12 rooms, m. 1.

No. 21 i street n. w., 5 rooms, m. 1.

No. 21 i street n. w., 5 rooms, m. 1.

No. 13 e fib st. s. e., 10 rooms, m. 1.

172 Mass. ave. n. w., 10 rooms, m. 1.

172 Mass. ave. n. w., 10 rooms, m. 1.

173 14th st. northwest, 5 rooms, m. 1.

New houses, 9th street, above T, 7 rooms, m. 1.

New houses, 9th street, above T, 7 rooms, m. 1.

Now houses, 9th street, prooms

139 Columbia street. 19 rooms

139 Columbia street. 19 rooms

1300 and 103 Frans, avenue s. e. 8 rooms, m. 1.

Nos. 11, 13, and 19 K st. n. e., 12 rooms.

Le Droit Park, 30 Kim street.

138 Third street s. e., 7 rooms, gas and water.

No. 134 B st. s. e., 7 rooms, gas and water.

No. 134 B st. s. e., 6 rooms, m. 1.

Nos. 173, 1738, 1739 St. n. w., 7 rooms.

No. 200 8th st. n. e., 6 rooms, m. 1. oms, large vard.

water.
No. 401 lith st. n. e., 7 rooms.
No. 627 L st. s. e., 6 rooms.
No. 627 L st. s. e., 6 rooms.
Nos. 1411 and 1417 34 st. n. w., 6 rooms and w
Nos. 6 and 7 Foundry Place. 5 rooms.
Boundary and 19th street, 4 rooms.
2016 10th street n. w.
No. 208 lith st. n. w.
Store and dwelling, near 1st and F sts. s. w.
16 First street n. w. o, I Cottage Hill.

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